

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 3, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-17697 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL.

Planning and Development

1. A Site Development Plan Review (SDR-17698) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.
2. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a tentative map, to reflect five-foot wide sidewalks connecting all lots with the three common lots.
3. Rezoning (ZON-5174) and companion Site Development Review (SDR-5175) applications are hereby expunged.

Public Works

4. Dedicate 30 feet of right-of-way adjacent to this site for Mustang Road, where such does not exist, 30 feet for the south side of El Campo Grande Avenue and a 15 foot radius on the southwest corner of El Campo Grande Avenue and Mustang Road.
5. Construct half street improvements on El Campo Grande Avenue and on Mustang Road adjacent to this site concurrent with development of this site. Improvements shall consist of permanent asphalt pavement and 30-inch rolled curb; sidewalk installation may be deferred and decomposed granite provided in the area where sidewalk would normally be placed, except sidewalk shall be constructed on Mustang Road, from the proposed entry drive southward to tie into Ann Road. Installation of streetlights may be deferred provided that exterior streetlighting shall be stubbed out for later use, including all necessary underground conduit and pull boxes at each streetlight location and the developer provide to the City such streetlights for the future installation. Alternatively, monies in lieu of such deferred streetlights, including bases, may be contributed to the City if allowed by the Department of Public Works. Coordinate with the Land Development Section of Public Works regarding streetlighting requirements prior to submittal of construction drawings.

Sign and record a covenant running with the land for all urban improvements (L-curb, sidewalk and streetlights) not constructed at this time on El Campo Grande Avenue and Mustang Road. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
7. Extend public sewer in Mustang Road to the northern edge of this site at a depth and location acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The request is for a Rezoning from R-PD3 to R-PD3 (Residential Planned Development - 3 Units Per Acre) on 10.3 acres adjacent to the northeast and northwest corners of Ann Road and Mustang Road. A related Site Development Plan Review (SDR-17698) will also be considered on this agenda.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/20/04	The City Council approved an Annexation (ANX-4957) for the subject site, generally located on the north side of Ann Road, east and west of Mustang Road. Staff and the Planning Commission recommended approval on September 3, 2004.
10/21/04	The Planning Commission approved a related General Plan Amendment (GPA-5172); Title 18 Waiver (WVR-5331); Rezoning (ZON-5174); and Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres. Staff recommended denial.
12/15/04	The City Council approved General Plan Amendment (GPA-5172); Title 18 Waiver (WVR-5331); Rezoning (ZON-5174); and Site Development Plan Review for a 32-lot residential subdivision on 10.65 acres. (SDR-5175).
12/07/06	The Planning Commission recommended denial of companion item SDR-17698 concurrently with this application. The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #12/mh).
<i>Related Building Permits/Business Licenses</i>	
NA	NA
<i>Pre-Application Meeting</i>	
10/23/06	A pre-application conference was held with staff to discuss the requirements to have a Rezoning and Site Development Plan Review resubmitted for a R-PD3 on 10.3 acres.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting was not required nor was there one held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	10.3
Net Acres	9.7

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	R (Rural Density Residential)	R-PD3
North	Single Family Residential	RNP (Rural Residential - Clark County Designation)	R-E (Rural Estates Residential – Clark County Designation)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)
East	Single Family Residential	RNP (Rural Residential - Clark County Designation)	R-E (Rural Estates Residential – Clark County Designation)
West	Single Family Residential	RNP (Rural Residential -Clark County Designation)	R-E (Rural Estates Residential – Clark County Designation)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
R-PD Residential Planned Development District	X		N*
Trails		N	NA
Rural Preservation Overlay District		N	NA
Development Impact Notification Assessment		N	NA
Project of Regional Significance		N	NA

*The proposed R-PD3 development does not meet Title 19.06 requirements for 5-foot wide sidewalks connecting common open space.

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the development standards shall be established upon the approval of the Rezoning and Site Development Plan Review for each Planned Development District.

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA		N/A
Min. Lot Width	NA	7,283 sq ft	N/A
Min. Setbacks			
• Front	20 feet	20 feet	Y
• Side	9 feet	9 feet	Y
• Corner	9 feet	9 feet	Y
• Rear	20 feet	20 feet	Y
Max. Building Height	2 stories/ 35 feet	2 & 1 stories	Y

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-PD3	3.59 du/ac	36.97	R-PD3	3.59 du/ac	R	36 units total

<i>Open Space – R-PD only</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
10.3 acres	3.1 du/ac	1.65	5.12%	22,949 sq ft	5.12%	23,000 sq ft	Y

ANALYSIS

The proposed site plan depicts 32 lots with lot sizes ranging between 7,283 and 13,358 square feet, which are significantly smaller than those in the area. The adjacent R-E (Rural Estates Residential - Clark County Designation and Residential Estates) zoned parcels have minimum lot sizes of over one-half acre and are rural in nature. Given the established development pattern of the area, a Rezoning request to R-PD3 (Residential Planned Development - 3 Units Per Acre) zoning would be inappropriate for this location.

The proposed R-PD3 (Residential Planned Development - 3 Units Per Acre) zoning district is intended for residential developments with up to 3.59 Units Per Acre, and is not appropriate for the area.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”
2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”
3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”
4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

In regard to “1”:

Per the approved General Plan Amendment (GPA-5172) to an R (Rural Density Residential) land-use designation, the proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning district will conform to the General Plan.

In regard to “2”:

The R-PD3 (Residential Planned Development - 3 Units Per Acre) zoning district allows for residential development with up to 3.59 Units Per Acre. The proposed site plan depicts 32 lots with lot sizes ranging between 7,414 and 13,358 square feet. The proposed lot sizes are significantly smaller than those of the adjacent R-E (Residential Estates and Rural Estates Residential) zoned parcels, which have minimum lot sizes of over one-half acre. The proposed residential development is inconsistent with the surrounding development in the area.

In regard to “3”:

Since the majority of the parcels in the area are zoned R-E (both Residential Estates and Rural Estates Residential), the proposed R-PD3 zoning district is inappropriate. The established development pattern in the area allows for larger lot sizes and lower densities than the proposed R-PD3 development.

In regard to “4”:

The site will receive access from Mustang Road, a 60-foot wide collector street, which is adequate in size to meet the requirements of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 252 by Planning Dept

APPROVALS 0

PROTESTS 1

